



# University of Hawaii at Manoa

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RL:0307

Proposals 706 and 707  
RELATING TO PUBLIC SIGHTLINESS AND GOOD ORDER  
(AND PROPOSAL 544 RELATING TO HISTORIC PLACES)

Statement for  
Con Con Committee on Environment, Agriculture,  
Conservation and Land  
Public Hearing 11 August 1978

by  
Doak C. Cox, Environmental Center

Proposals 706 and 707 would replace Section 5 of Article VIII of the Constitution with a new section of Article X. Proposal 544 is identical to Proposal 706 except that it would revise Article VIII, Section 5 itself. This statement on the proposals does not represent an institutional position of the University of Hawaii.

The new section of Article X in Proposal 707, and the first paragraph of new section in Proposal 706 are identical to the section of Article VIII that they would replace. Although there is considerable logic to the revised placement, it would have very little practical effect.

The second paragraph of the new section in Proposal 706 deals with details that are better placed in legislation than in the Constitution. Indeed in one detail this second paragraph would be quite illogical in the Constitution. It defines a category of historic properties in terms of their placement on the Hawaii and National registers of historic places and requires for approval of uses of these properties the permission of the Chairman of the Board of Land and Natural Resources. However, the registers in question and the Board in question are not established under the Constitution but under statute, and in the case of the national register under federal not state statute.

Proposal 544 appears identical to that in Proposal 706 except that Section 5 of Article VIII would be retained and the new language added to it.